

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

PAUL PAHL and AMANDA PAHL,	*	
Plaintiffs,	*	
vs.	*	CASE NO. 4:08-CV-112 (CDL)
KING DAVID ROBINSON,	*	
Defendant.	*	
	*	

O R D E R

Below are the rulings on Defendant's Amended Objections to Plaintiffs' Deposition Designations (Doc. 116).<sup>1</sup>

Designation	Objection	Ruling
Aaron Bordeaux <sup>2</sup> - 11:13-20	Unresponsive	Overruled
Tyler Morris <sup>3</sup> - 11:13-21	Unresponsive	Overruled
Tyler Morris - 16:5-16:24	Unresponsive	Overruled
Tyler Morris - 16:25-17:11	Hearsay <sup>4</sup>	Sustained
Tyler Morris - 17:12-13	Unresponsive	Overruled

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<sup>1</sup>The following depositions will not be read/played at trial: (1) Dr. Alluri Raju; (2) Thomas Buff; (3) Samantha Wessner; and (4) Paul Hanover. The parties had no objections to the deposition designations of John Cox.

<sup>2</sup>The parties took a trial deposition of Mr. Bordeaux. Any objections not made on the record were waived.

<sup>3</sup>The parties took a trial deposition of Mr. Morris. Any objections not made on the record were waived.

<sup>4</sup>Although Plaintiffs contend that Defendant's hearsay objection was untimely raised in the record, the Court finds otherwise.

Designation	Objection	Ruling
Tyler Morris - 31:8-23	Argumentative <sup>5</sup>	Overruled
Larry Stages <sup>6</sup> - 10:5-9	Speculative	Withdrawn by Plaintiffs
Larry Stages - 10:10-15	Speculative <sup>7</sup>	Overruled
Larry Stages - 13:24-14:18	Speculative	Overruled
Larry Stages - 15:10-13	Leading	Withdrawn by Plaintiffs
Larry Stages - 15:18-23	Improper Opinion <sup>8</sup>	Overruled
Larry Stages - 18:11-27:21	Speculative	Overruled
Larry Stages - 43:24-44:21	Leading <sup>9</sup>	Overruled
Larry Stages - 44:22-25	Leading	Withdrawn by Plaintiffs
Larry Stages - 45:1-45:6	Leading <sup>10</sup>	Overruled
Joseph Ceravolo <sup>11</sup> - 17:22-20:25	Irrelevant	Overruled

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<sup>5</sup>Defendant also objected on relevancy grounds. However, Defendant did not preserve this objection on the record. Therefore, Defendant waived this objection.

<sup>6</sup>The parties took a trial deposition of Mr. Stages. Any objections not made on the record were waived.

<sup>7</sup>Defendant did not preserve his speculation objection on the record. Therefore, Defendant waived this objection.

<sup>8</sup>Defendant did not preserve his improper opinion objection on the record. Therefore, Defendant waived this objection.

<sup>9</sup>Defendant did not preserve his leading objection on the record. Therefore, Defendant waived this objection.

<sup>10</sup>Defendant did not preserve his leading objection on the record. Therefore, Defendant waived this objection.

<sup>11</sup>The parties took a trial deposition of Dr. Ceravolo. Any objections not made on the record were waived.

Designation	Objection	Ruling
Joseph Ceravolo - 28:24	Misleading	Overruled but with Caveat <sup>12</sup>
Joseph Ceravolo - 39:21-41:15	Speculative <sup>13</sup>	Overruled
Joseph Ceravolo - 51:5-21	Legal Conclusion <sup>14</sup>	Overruled
Joseph Ceravolo - 51:22-52:7	Legal Conclusion	Withdrawn by Plaintiffs
Sean Collinsworth <sup>15</sup> - 9:8-20	Irrelevant	Withdrawn by Plaintiffs
Sean Collinsworth - 32:7-33:19	Improper Opinion <sup>16</sup>	Overruled
Sean Collinsworth - 33:20-34:5	Improper Opinion	Sustained
Sean Collinsworth - 88:20-89:5	Irrelevant	Overruled
Sean Collinsworth - 89:6-17	Irrelevant	Withdrawn by Plaintiffs
Sean Collinsworth - 89:18-90:3	Irrelevant <sup>17</sup>	Sustained
Sean Collinsworth - 99:9-20	Improper Opinion	Overruled
Sean Collinsworth - 106:22-107:2	Improper Opinion	Overruled
Sean Collinsworth - 107:17-108:2	Improper Opinion	Overruled
Sean Collinsworth - 108:13-109:1	Improper Opinion	Overruled

<sup>12</sup>If the trial deposition contains the word "complained," then this line of questioning/testimony is excluded.

<sup>13</sup>Defendant did not preserve his speculation objection on the record. Therefore, Defendant waived this objection.

<sup>14</sup>Defendant did not preserve his legal opinion/conclusion objection on the record. Therefore, Defendant waived this objection.

<sup>15</sup>The parties took a discovery deposition of Mr. Collinsworth. The parties had no obligation to put objections (other than to form/responsiveness) on the record.

<sup>16</sup>Defendant also made an objection on the grounds that the testimony was unresponsive. Defendant did not preserve this objection on the record. Therefore, this objection was waived.

<sup>17</sup>Plaintiffs object to Defendant's deposition designation at 89:18-90:3 on the grounds that the line of questioning/testimony is irrelevant to the case.

Designation	Objection	Ruling
Sean Collinsworth - 110:17-112:2	Irrelevant	Sustained
Sean Collinsworth - 113:3-7	Irrelevant	Withdrawn by Plaintiffs
Sean Collinsworth - 113:8-24	Irrelevant	Overruled

IT IS SO ORDERED, this 1st day of September, 2009.

S/Clay D. Land  
CLAY D. LAND  
UNITED STATES DISTRICT JUDGE